

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Bradley Ebbesen,

Civil No. 07-4694 (JNE/JJG)

Plaintiff,

v.

Par Enterprises,

Defendant.

**REPORT
AND
RECOMMENDATION**

This matter comes before the undersigned in connection with this Court's order of July 25, 2008. As that order indicates, plaintiff Bradley Ebbesen has retained out-of-state counsel to represent him in this matter. Because that counsel is not licensed to practice in this District, the order required Mr. Ebbesen to retain local counsel and to have his out-of-state counsel apply for admission *pro hac vice*.

The order warned that, if Mr. Ebbesen did not comply by August 25, 2008, this Court would recommend that this litigation be dismissed without prejudice. That deadline has passed without action by Mr. Ebbesen, and because he has not retained appropriate counsel, this matter cannot go forward. Being duly advised of all the files, records, and proceedings herein, **IT IS**

HEREBY RECOMMENDED THAT:

1. This matter be **DISMISSED WITHOUT PREJUDICE**.
2. The litigation be closed in its entirety and judgment entered.

Dated this 16th day of September, 2008.

s/ Jeanne J. Graham

JEANNE J. GRAHAM
United States Magistrate Judge

NOTICE

Pursuant to Local Rule 72.2(b), any party may object to this report and recommendation by filing and serving specific, written objections by **September 30, 2008**. A party may respond to the objections within ten days after service thereof. Any objections or responses filed under this rule shall not exceed 3,500 words. The district court judge shall make a de novo determination of those portions to which objection is made. Failure to comply with this procedure shall forfeit review in the United States Court of Appeals for the Eighth Circuit.